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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior applicants: B. Masinovsky et al.

Attorney Docket No.: FHIC16963

Examiner: D.C. Wortman, Ph.D.

Anticipated Classification of this
Application:

Group Art Unit: 1802

Class: 530 Subclass: 388.700

REQUEST FOR FILING OF DIVISIONAL APPLICATION
UNDER 37 C.F.R. § 1.60

Seattle, Washington 98101

April 21, 1993

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

This is a request for filing by:

X a. EXPRESS MAIL

b. Hand Delivery

of a divisional application under 37 C.F.R. § 1.60 of pending prior application Serial No. 07/562,008, filed on August 2, 1990, of Boris Masinovsky, William Michael Gallatin, and Paul J. Simmons, for IL-4 ACTS SYNERGISTICALLY WITH IL-1 β TO PROMOTE LYMPHOCYTE ADHESION TO MICROVASCULAR ENDOTHELIUM BY INDUCTION OF VCAM-1.

X 1. A filing date in accordance with 37 C.F.R. § 1.10 is requested. A certificate of mailing by "Express Mail" is set forth below.

X 2. Enclosed is a true copy of the prior application Serial No. 07/562,008 as originally filed, including specification, claims, drawings and declaration. (See No. 8 for formal drawing requirements.)

X 3. The filing fee is calculated below:

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CLAIMS AS FILED, LESS CLAIMS CANCELLED BY AMENDMENT BELOW

For	Number Filed	Number Extra	Rate	Basic Fee \$355
Total Claims	6 - 20	=	x \$22	
Independent Claims	3 - 3	=	x \$74	
Multiple Dependent Claims	---	---	\$230	
Total Filing Fee				\$355

X 4. Check No. 55851 in the amount of \$355 is enclosed.

X 5. The Commissioner is hereby authorized to charge any fees that may be required or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this request is enclosed.

X 6. Cancel in this application original Claims ~~5-16~~ of the prior application Serial No. 07/562,008 before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

X 7. Amend the specification by inserting the following after the title: --This is a divisional of the prior application Serial No. 07/562,008, filed August 2, 1990 (Patent No. 5,206,345), the benefit of the filing date of which is hereby claimed under 35 U.S.C. § 120.--

8. Formal drawings (* sheets) for this application are enclosed.

9. Priority of application Serial No. _____, filed on *, in * is claimed under 35 U.S.C. § 119.

X 10. The prior application is assigned to Fred Hutchinson Cancer Research Center.

X 11a. The original power of attorney in the prior application is to:
Bruce E. O'Connor, Reg. No. 24,849; Lee E. Johnson, Reg. No. 22,946; Gary S. Kindness, Reg. No. 22,178; James W. Anable, Reg. No. 26,827; James R. Uhler, Reg. No. 25,096; Jerald E. Nagae, Reg. No. 29,418; Michael W. Bocianowski, Reg. No. 28,692; Michael G. Toner, Reg. No. 27,601; John B. Mason, Reg. No. 29,563; Thomas F. Broderick, Reg. No. 31,332; Ronald M. Anderson, Reg. No. 28,829; Dennis K. Shelton, Reg. No. 26,997; Robert R. Cook, Reg. No. 31,602; and the firm of Christensen, O'Connor, Johnson & Kindness. The power appears in the original papers in the prior application.

11b. A second power of attorney in prior application Serial No. _____ is to:

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- _____ i. second power appears in the original application papers of the prior application
- _____ ii. Since the second power does not appear in the original application papers, a copy of the second power is enclosed.
- X 12a. A verified statement of applicant's status as a small entity is present in the prior application. Status as a small entity is proper and desired for this application.
- _____ 12b. A verified statement of applicant's status as a small entity is enclosed.
- _____ 13. A copy of the request for a * month extension of time (including check No. in the amount of \$*) to extend the pendency of the prior application to at least the filing date of this Rule 60 application is enclosed.
- _____ 14. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application and have been included in the calculation of the filing fee set forth above.)
- _____ 15. Delete the name of * as inventor, such person not being inventor of the subject matter claimed in this application.

Address all future communications to:

CHRISTENSEN, O'CONNOR, JOHNSON & KINDNESS
2800 Pacific First Centre
1420 Fifth Avenue
Seattle, WA 98101

The undersigned declares that all statements made herein of his own knowledge are true and all statements made on information and belief are believed to be true; and further, these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereof.

Date: 4/21/93

Thomas F. Broderick
Thomas F. Broderick
Registration No. 31,332

Address(es) of signator(s):



1 Christensen, O'Connor, Johnson & Kindness

____ Inventor(s)

2 2800 Pacific First Centre

____ Assignee of complete interest

3 1420 Fifth Avenue

4 X Attorney or agent of record

5 Seattle, WA 98101

____ Filed under Rule 34(a)

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8 **EXPRESS MAIL CERTIFICATE**

9 "Express Mail" mailing label number: TB061563304US

10 Date of Deposit: April 21, 1993

11 I hereby certify that this paper or fee is being deposited with the United States Postal Service
12 "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above
13 and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

14 Brian M Fox

(Typed or printed name of person mailing paper or fee)

15 [Signature]

(Signature of person mailing paper or fee)

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